

REMARKS/ARGUMENTS

These Remarks are responsive to the Office Action mailed August 26, 2005. Applicants respectfully request reconsideration of the rejections of claims 1-12 for at least the following reasons.

STATUS OF THE CLAIMS

Claims 1-12 are currently pending in the present application.

I. REJECTIONS UNDER 35 U.S.C. §102

Claims 1-2, 4-8 and 10-12 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,546,486 to Perlman et al. (hereinafter "Perlman").

Applicants respectfully traverse these rejections and respectfully submit that the rejections are improper for failing to disclose or suggest each feature recited in Applicants' claims. Applicants have carefully considered the Examiner's remarks in Office Action, paragraph 3, and respectfully submit that Perlman fails to disclose the claimed invention for at least the following reasons. In the following discussion Applicants have attempted to "map" the language of the instant claims onto the disclosure of Perlman in an effort to demonstrate the inadequacies of the Perlman disclosure. Applicants do not concede that Perlman in fact discloses the following elements, but merely uses this exercise to demonstrate how Perlman cannot anticipate the claimed invention.

For example, claim 1 recites "detecting an exchange of a first encryption key between a host device and a remote device...." Following the cited portion of Perlman a "first key" 306 is sent to "host device" 110. Perlman, col. 6, lines 48-49. Claim 1 goes on to recite "wherein the first encryption key supports confidentiality protection of first data exchanged between the host device and the remote device according to a first security

policy.” As disclosed in Perlman “first key” 306 “supports confidentiality of first data” message 208.

Claim 1 further recites “exchanging a second encryption key with the host device when the exchange of the first encryption key is detected....” Again, with reference to the cited portion of Perlman, when the “first key” 306 is “detected” it is sent to “host device” 110 and a “second key” 204 is returned to firewall 106. Perlman, col. 6, lines 50-53. Claim 1 goes on to recite “requesting at the firewall, based at least in part upon the second security policy, the first encryption key from the host device; wherein the first encryption key is sent under the protection of the second encryption key....” Following the cited portions of Perlman, and accepting *arguendo* the Examiner’s arguments that the Firewall 106 makes the claimed request, we see that after “second key” 204 is returned to firewall 106, the “first key” 306 is never again requested at the firewall 106. Nor is “first key” 306 sent to the firewall 106 under the protection of “second key” 204. At best, Perlman discloses sending “second key” 204 to the firewall under the protection of a third, public key. Perlman, col. 6, lines 58-63. Therefore, even if Perlman discloses the use of more than one key to encrypt data, Perlman still fails to disclose at least the above noted features recited in claim 1.

Perlman fails to disclose the claimed invention even if we perform the above exercise with a reversed first and second keys (i.e., “first key” 204 and a “second key” 306). In that case, Perlman fails to disclose at least “detecting an exchange of a first encryption key between a host device and a remote device” because the exchange of “first key” 204 is not detected until after second key 306 is decrypted. Likewise, under this scheme Perlman fails to disclose “exchanging a second encryption key [306] with the host device when the exchange of the first encryption key [204] is detected...” because as disclosed in Perlman the “second key” 306 is exchanged prior to the exchange of the “first key” 204. Perlman, col. 6, lines 48-63.

For at least these reasons, Applicants respectfully submit that the rejections of claims 1, 4, 5, 7 and 10-11 are improper and request that they be withdrawn.

Claims 2, 6, 8 and 12 depend from one of claims 1, 7 or 11 and, thus, contain the features recited therein. As discussed above, Perlman fails to disclose or suggest each feature recited in the independent claims. For at least these reasons, Applicants respectfully submit that the rejections of claims 2, 6, 8 and 12 are also improper and respectfully request that they be withdrawn.

II. REJECTIONS UNDER 35 U.S.C. § 103

Claims 3 and 9 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Perlman in view of U.S. Patent No. 6,438,612 to Ylonen et al. (hereinafter "Ylonen"). Claims 3 and 9 depend from claims 1 and 7 respectively and, as such, contain the features recited in the independent claims. Ylonen is relied upon to disclose the use of IKE protocols and, as such, fails to repair the above detailed deficiencies of Perlman. For at least these reasons, Applicants respectfully submit that the rejections of claims 3 and 9 are improper and request that they be withdrawn.

III. CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

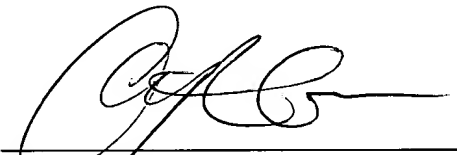
No fee is believed necessary in connection with the filing of this Response. However, if it is determined otherwise, the Commissioner is hereby authorized to charge or credit any difference to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

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